

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MOHAMMED AL BALHAWI,

Petitioner,

v.

MERRICK GARLAND, et al.,

Respondents.

CASE NO. 2:24-cv-8-JNW-DWC

ORDER FOR RETURN AND STATUS
REPORT, § 2241 PETITION

Petitioner has filed a 28 U.S.C. § 2241 habeas petition, challenging his detention by U.S. Immigration and Customs Enforcement (“ICE”). Having reviewed the Petition, the Court
ORDERS:

(1) If not previously accomplished, electronic posting of this Order and Petitioner’s § 2241 habeas petition shall effect service upon the United States Attorney of the Petition and all supporting documents. Service upon the United States Attorney is deemed to be service upon the named Respondents.

(2) **Within 30 days of the date this Order is posted**, Respondents shall show cause why a writ of habeas corpus should not be granted by filing a Return as provided in 28 U.S.C. §

2243. As a part of such Return, Respondents shall address and submit evidence relevant to Petitioner's allegation that his detention is unlawful because ICE is unable to effectuate his removal in the reasonably foreseeable future. Respondents shall file the Return with the Clerk of the Court and shall serve a copy upon Petitioner.

(3) The Return will be treated in accordance with LCR 7. Accordingly, on the face of the Return, Respondents shall note it for consideration on the fourth Friday after it is filed, and the Clerk shall note the Return accordingly. Petitioner may file and serve a response not later than the Monday immediately preceding the Friday appointed for consideration of the matter, and Respondents may file and serve a reply brief not later than the Friday designated for consideration of the matter.

(4) If Petitioner's custody status changes at any point during this litigation, **Respondents shall file a status update with the Court as soon as possible and no later than 14 days after the change.**

The Clerk is directed to send copies of this Order to Petitioner, the Federal Public Defender, and the Honorable Jamal N. Whitehead.

Dated this 16th day of January, 2024.



David W. Christel
Chief United States Magistrate Judge